

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 16-35 remain in this application.

Claims 16-22 and 26-31 are amended to address antecedent basis issues and in consideration of U.S. practice and preferences. In particular, independent claim 16 is amended to sharpen the recitation of the invention to more clearly distinguish the claim over the prior art.

No new matter is introduced by way of the amendments to the claims.

The specification is amended to address a typographical error, and further to include section headings. The amendments to the specification do not introduce new matter.

The Official Action rejected claim 16-35 under 35 USC 103(a) as being unpatentable over Koss (US 3,767,499; "KOSS").

In reply, it is respectfully submitted that KOSS fails to teach or suggest the features recited in claim 1. In particular, KOSS fails to teach or suggest a skin comprising at least one web perforated with a plurality of perforations, the perforations defining a regular repeat pattern in the at least one web.

On the contrary, KOSS teaches "apertures" in a laminate, the apertures formed by gaps between ribbon-like bands in all of several layers, the several layers being impregnated

with a hardenable resin bonding the layers of the laminate into a unitary structure (column 1, lines 39-51).

KOSS thus fails to teach a web that has been perforated, as required by claim 1 (see also specification page 1, lines 22-27). KOSS clearly teaches a web that is assembled with gaps between its bands to coincide with other webs to form a structure with apertures. The gaps or apertures disclosed by KOSS fail to teach or suggest the perforations recited by claim 1.

Further as to KOSS, the reference teaches a skin made "from a plurality in excess of two superposed layers," indicating that less than 3 layers, especially only a single layer, would not be functional. The basic component of the KOSS skin is a layer of parallel ribbon-like bands spaced from each other by an empty band, which further suggests that a single layer would not properly function.

KOSS is silent as to the way the ribbon-like bands of each layer are maintained in the parallel and accurately spaced apart configuration, and as to the way three layers are disposed at selected angles relative to each other. A suggestion may be drawn that KOSS uses fakir's bed of nails or a similar structure known in the art to produce this structure (see, e.g., page 2, lines 12-27).

In contrast to KOSS, the present invention discloses in Figure 2 shows an arrangement of perforations P1, P2 and P3 in

the form of an equilateral triangle a,b,c (or, alternatively perforations P1, P3, P4 in the form of an equilateral triangle a,c,d), the perforations cutting fibers in the webs N1, N2 and N3, but channels C1, C2 and C3, of width z, of fibers spared by this operation will remain and the fibers thus uninterrupted will ensure sufficient integrity of the perforated skin, (page 8 line 19 to page 9 line 7; emphasis added). The apertures of KOSS neither teach nor suggest this.

KOSS alleges to be able to provide an aperture laminate, the aperture of which may be of selected size and shape and distributed as required throughout the area of the laminate (column 4, lines 7-9), by selecting the width of the various ribbon-like bands, as well as the selected gaps between adjacent bands in the same layer (column 3, lines 10-12).

However, KOSS can obviously provide polygonal apertures only, while the invention permits any perforation shape, the shape not being limited to the web or a juxtaposition of webs.

For all the foregoing, it is respectfully submitted that KOSS fails to teach or suggest the web of the present invention recited in claim 1 to be perforated in a manner such that a portion of the fibers of the web are uninterrupted.

It is therefore respectfully submitted that claim 1, and claims depending therefrom, are patentable over KOSS.

Reconsideration and allowance of the claims are respectfully requested.

From the foregoing, it will be apparent that Applicant has fully responded to the October 2, 2008 Official Action and that the claims as presented are patentable. In view of this, Applicant respectfully requests reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for Applicant at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeremy G. Mereness/
Jeremy G. Mereness, Reg. No. 63,422
209 Madison Street
Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JGM/jr